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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,403	01/22/2002	Hideo Nagai	NAK1-BQ88	7193
7590 12/02/2003				
JOSEPH W. PRICE, ESQ. SNELL & WILMER LLP 1920 MAIN STREET SUITE 1200 IRVINE, CA 92614-7230		EXAMINER TRAN, TAN N		
		ART UNIT 2826 PAPER NUMBER		
DATE MAILED: 12/02/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

12/1

Office Action Summary	Application No. 10/055,403	Applicant(s) NAGAI ET AL.	
	Examiner TAN N TRAN	Art Unit 2826	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on amendment filed on 10/21/03.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-3, 11-14 and 21-32 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) 11-14, 21-23 and 28-30 is/are allowed.

6) ☒ Claim(s) 1, 2, 24-27 and 31 is/are rejected.

7) ☒ Claim(s) 3, 32 is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: _____
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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,24,25 stand rejected under 35 U.S.C. 102(b) as being anticipated by Kiyoharu (JP-06-310763).

With regard to claims 1,24,25, Kiyoharu discloses a light-emitting unit comprises a flat polygonal member 1 is flexible substrate; a light-emitting member which is provided on a main surface of the polygonal member 1; wherein the light-emitting member is made up of a plurality of light-emitting diodes (42-45) that are set at frequent intervals on the main surface of the polygonal member 1; at least three sets of electrical conducting elements (7-14) serve as three sets of terminals, each set of terminals being provided on a different side of a periphery of the polygonal member 1; and a wiring pattern which is provided to the polygonal member to connect the terminals 8,10,12,14 with the light-emitting members 42,43,45,44; and a translucency resin 46 which has flexibility and covers the light-emitting member. (Note figs. 1,3 of Kiyoharu). It is inherent that the wiring pattern connects to the set of terminals with the light emitting member in order to electrically connect the light emitting diode 42(45) to the terminal 7(9).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,26,27,31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kiyoharu (JP-06-310763).

With regard to claim 2, Kiyoharu discloses all the claimed subject matter except for the light emitting member has a first electrode and a second electrode, and emits light when power is supplied through the first and second electrodes, the wiring pattern connects the first terminal to the first electrode, and the second terminal to the second electrode. However, it would have been obvious to one of ordinary skill in the art to form the light emitting member has a first electrode and a second electrode, and emits light when power is supplied through the first and second electrodes, the wiring pattern connects the first terminal to the first electrode, and the second terminal to the second electrode in order to receive an electrical signal from external devices.

With regard to claims 26,27,31, Kiyoharu discloses a light-emitting unit assembly comprising: at least two light-emitting units, wherein each light-emitting unit includes: a flat polygonal member 1 is flexible substrate; a light-emitting member which is provided on a main surface of the polygonal member 1; wherein the light-emitting member is made up of a plurality of light-emitting diodes (42-45) that are set at frequent intervals on the main surface of the

polygonal member 1; at least three sets of terminals (7-14), each set of terminals being provided on a different side of a periphery of the polygonal member 1; and a wiring pattern which is provided to the polygonal member to connect the terminals 8,10,12,14 with the light-emitting members 42,43,45,44, and wherein one of side of a polygonal member of a light-emitting unit on which a set of terminals has been provided is set facing one side of a polygonal member of another light emitting unit on which a set of terminals has been provided, and corresponding terminals on facing sides of the two light-emitting units are electrically connected by conduction pattern (33,34,37); and a translucency resin 46 which has flexibility and covers the light-emitting member. (Note figs. 1,3 of Kiyoharu). It is inherent that the wiring pattern connects to the set of terminals with the light emitting member in order to electrically connect.

Kiyoharu discloses all the claimed subject matter except for a light scatterer which scatters light emitted from the plurality of light-emitting diodes wherein the light scatterer includes a Fresnel lens. However, it would have been obvious to one of ordinary skill in the art to form a light scatterer which scatters light emitted from the plurality of light-emitting diodes wherein the light scatterer includes a Fresnel lens in order to enhance the emitting light efficiency.

Allowable Subject Matter

3. Claims 3,32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3,32 are allowable over the prior art of record, because none of these references disclose or can be combined to yield the claimed invention such as the set of terminals further includes a third terminal, the wiring pattern connects the third terminal to the second electrode, and the set of terminals is provided so that the first terminal is positioned at a midpoint of the side and the second terminal and third terminal are symmetrically positioned with respect to the first terminal as recited in claim 3, corresponding terminals in each set of terminals are electrically connected as recited in claim 32.

4. Claims 11-14,21-23, 28-30 are allowable over the prior art of record, because none of these references disclose or can be combined to yield the claimed invention such as one side of a polygonal member of a light emitting unit on which a set of terminals has been provided is set facing one side of a polygonal member of another light-emitting unit on which a set of terminals has been provided, and corresponding terminals on the facing sides of the two light-emitting units are electrically connected as recited in claim 11, the set of terminals includes a common terminal and color terminals that correspond to the different colors, and the wiring pattern connects an electrode at one of a low-potential end and a high-potential end of each group of series-connected light-emitting elements to the common terminal as recited in claims 21, 22,

and a wiring pattern which is provided to the polygonal member to connect terminals of equal polarities with each other in the at least three sets of terminals as recited in claim 28.

Response to Arguments

5. Applicant's arguments filed 10/21/03 have been fully considered but they are not persuasive.

It is argued, at pages 13,14 of the remarks, that "components 7-14 are not terminals" "the conducting elements are not terminals on the periphery of a flat polygonal member" and "Kiyoharu does not teach or suggest placement of the terminals on different sides of the periphery of the polygonal member". However, figs. 1,3 of Kiyoharu does show at least three sets of electrical conducting elements (7-14) serve as three sets of terminals formed on the periphery of the polygonal substrate 1, wherein conducting elements (7-14) serve as three sets of terminals electrically connect to the conductive parts (15-18) and being provided on a different side of a periphery of the polygonal member 1. Thus, Applicant's claims 1,2,24-27,31 do not distinguish over Kiyoharu reference.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the

THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

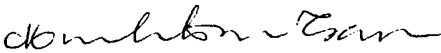
7. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Tan Tran whose telephone number is (703) 305-3362. The examiner can normally be reached on M-F 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (703) 308-6601. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for after final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

TT

Nov 2003


Minhloan Tran
Primary Examiner
Art Unit 2826